

Public Notice

U.S. Army Corps of Engineers, Norfolk District

March 22, 2005

CENAO-TS-REG
05-V0468

FEDERAL PUBLIC NOTICE

The District Engineer and the Virginia Department of Environmental Quality have received a joint application for Federal and State permits as described below:

APPLICANT

Preston Hummer
22 Marlborough Point Road
Stafford, VA 22554

WATERWAY AND LOCATION OF THE PROPOSED WORK: The project is located on Accokeek Creek a tributary to Potomac Creek, adjacent to Marlborough Point Road and south of Brooke Road in Stafford County, Virginia.

PROPOSED WORK AND PURPOSE: The applicant proposes to construct a 5-feet wide by 200-foot long by 4-foot high private pier and to dredge a channel with the dimensions of 200-feet long by 30-feet wide by 4 –feet deep to allow for boat access.

In addition to the required Department of the Army permit, the applicant must obtain a Virginia Water Protection Permit/401 certification from the Virginia Department of Environmental Quality assuring that applicable laws and regulations pertaining to water quality are not violated and a permit from the Stafford County Wetlands Board. Project drawings are attached.

AUTHORITY: Permits are required pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Sections 401 and 404 of the Clean Water Act (Public Law 95-217) and Title 62.1 of the Code of Virginia.

FEDERAL EVALUATION OF APPLICATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. The decision will reflect the national concern for both protection and utilization of important resources. The benefits that reasonably may be expected from the proposal must be balanced against its reasonably foreseeable detriments. All of the proposal's relevant factors will be considered, including conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use classification, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people. The Environmental Protection Agency's "Guidelines for Specification of Disposal Sites for Dredged or Fill Material" will also be applied (Section 404(b)(1) of the Clean Water Act).

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies

and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. Anyone may request a public hearing to consider this permit application by writing to the District Engineer within 30 days of the date of this notice, stating specific reasons for holding the public hearing. The District Engineer will then decide if a hearing should be held.

Preliminary review indicates that: (1) no environmental impact statement will be required; (2) no species of fish, wildlife, or plant (or their critical habitat) listed as endangered or threatened under the Endangered Species Act of 1973 (PL 93-205) will be affected; and (3) no known properties eligible for inclusion or included in the National Register of Historic Places are in or near the permit area, or would likely be affected by the proposal. Additional information might change any of these findings. For compliance with the Coastal Zone Management Act of 1972, as amended, the applicant must certify that federally licensed or permitted activities affecting Virginia's coastal zone (Tidewater) will be conducted in a manner consistent with the Virginia Coastal Resources Management Program (VCP). For more information or to obtain a list of the enforceable programs of the VCP, contact the Department of Environmental Quality, Office of Environmental Impact Review at (804) 698-4330 or e-mail: elirons@deq.virginia.gov.

COMMENT PERIOD: Comments on this project should be made in writing, addressed to the Norfolk District, Corps of Engineers (ATTN: CENAO-TS-REG), 803 Front Street, Norfolk, Virginia 23510-1096, and should be received by the close of business on April 22, 2005.

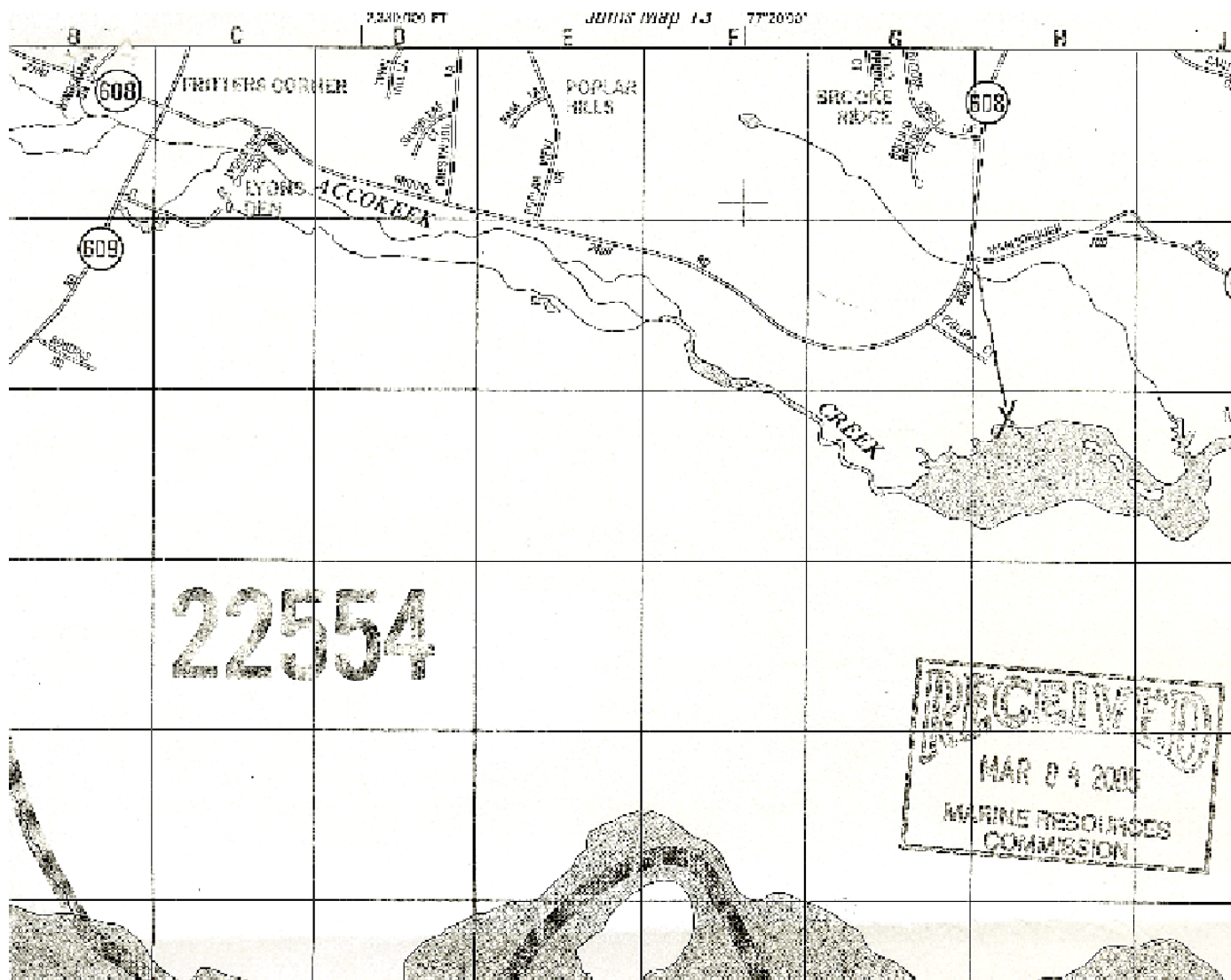
If you have any questions about this project or the permit process, please call:

Regena Bronson 301.475.2720 regena.d.Bronson@nao02.usace.army.mil

FOR THE DISTRICT ENGINEER:

Bruce F. Williams
Chief, Northern Virginia
Regulatory Section

Attachment: Drawings



Accokeek Creek

NF WILSON
DB. 305 PG. 551

Existing
BLK HEAD 58' Long

Water (Channel)
15' wide

Existing 24'
DOCK

channel 36' wide

WOOD DOCK

SHORELINE

FENCE

Boat
Ramp

3.4667 ACRES

Gravel bedding

12' wide x 15' long # 22

* 1 STORY BRICK

OVERHEAD
UTILITY LINES

UP

WELL

Dredged
Material
Placed
Here

GRAVEL
DRIVEWAY

CONC. POOL
& DECK

CONC.

FRAME
SHED

CHAINLINK
FENCE

Preston HUMMER
ACCOKEEK CREEK
STAFFORD
MARCH 7, 2005

20' WIDE INGRESS
EGRESS ESMT.

± 1,180' TO
ROUTE 608